

# EXHIBIT A

3-25-14  
4:39 pm  
KLB

SUMMONS - 30 DAY  
IN THE CIRCUIT COURT OF THE TWENTY-SECOND JUDICIAL CIRCUIT  
McHENRY COUNTY, ILLINOIS

(Name all parties)

ALAN A. WILSON and

BARBARA M. WILSON

Plaintiff(s)

vs.

U.S. Bank, N.A.

Case Number

14LA71

Amount Claimed \$ in excess of \$50,000.00

Defendant(s)

SUMMONS

To each Defendant: U.S. Bank, N.A. - Officer of Bank 350 Commonwealth Dr., Crystal Lake, IL  
**YOU ARE SUMMONED** and required to file an answer in this case, or otherwise file your appearance, 60014  
in the office of the Clerk of this court, McHenry County Government Center, 2200 N. Seminary Avenue,  
Woodstock, Illinois, 60098, within 30 days after service of this summons, not counting the day of service. **IF  
YOU FAIL TO DO SO, A JUDGMENT OR DECREE BY DEFAULT MAY BE TAKEN AGAINST  
YOU FOR THE RELIEF ASKED IN THE COMPLAINT.**

To the officer:

This summons must be returned by the officer or other person to whom it was given for service, with  
endorsement of service and fees, if any, immediately after service. If service cannot be made, this summons  
shall be returned so endorsed. This summons may not be served later than 30 days after its date.



WITNESS MAR 10 2014 20 14

Katharine M. Keefe  
Clerk of the Circuit Court

Plaintiff's attorney or plaintiff if he is not represented by an attorney

Name William P. Petsche

Prepared by William P. Petsche

Attorney for Plaintiff

Attorney for Plaintiff

Address 454 West Virginia Street

Attorney Registration No. 6306733

City, State Zip Crystal Lake, IL 60014

Telephone 815-356-8000

3-25-14  
ms

COPY

FILED

MAR 10 2014

KATHERINE M. KEEFE  
McHENRY CTY. CIR. CLK.

IN THE CIRCUIT COURT OF THE 22<sup>nd</sup> JUDICIAL CIRCUIT  
MCHENRY COUNTY, ILLINOIS

ALAN A. WILSON and  
BARBARA M. WILSON,

Plaintiffs,

vs.

U.S. Bank, N.A.,

Defendants.

Case No.

14LA71

**COMPLAINT FOR BREACH OF CONTRACT AND VIOLATION OF THE ICFA**

NOW COMES the Plaintiffs, Alan A. Wilson and Barbara M. Wilson (herein "Wilsons") by and through their attorneys, RothMelei, and for their Complaint for Breach of Contract and Violation of the ICFA against U.S. Bank, N.A. (herein "U.S. Bank"), states as follows:

1. At all times relevant hereto, the Wilsons and/or Krausers have been the owners of certain real property and improvements commonly known as 1341 Cunat Court, Unit 1C, Lake In The Hills, McHenry County, Illinois (herein "the Property").

2. On or about September 30, 2005, the Wilsons and the Krausers entered into a contract for the purchase of the Property.

3. On or about September 30, 2005, the Wilsons and Krausers closed on the Property and took title to the Property as Joint Tenants.

4. The Wilsons and the Krausers also applied for and obtained a mortgage loan on the Property and all committed to be joint and severally liable for the mortgage loan on the Property.

NOTICE

BY ADMINISTRATIVE ORDER 94-9

THIS CASE IS HEREBY SET FOR SCHEDULING  
CONFERENCE IN COURTROOM 201 ON  
6-9 2014, AT 9:00 AM PM  
FAILURE TO APPEAR MAY RESULT IN THE CASE  
BEING DISMISSED OR AN ORDER OF  
DEFAULT BEING ENTERED.

5. At the time of the purchase of the Property, the Krausers agreed with the Wilsons that the Krausers would be responsible for the monthly mortgage payment on the Property as the Krausers would be living in the Property and the Wilsons were not living in the Property.

6. Sometime in 2012, the Krausers defaulted on the monthly mortgage payment. U.S. Bank did not contact the Wilsons and did not notify them of the default delinquency on the mortgage.

7. Sometime at the end of 2012, the Wilsons were notified by a separate credit account that that credit account was being closed due to a reduction in credit score.

8. The Wilsons subsequently contacted credit reporting agencies and discovered the Krausers default on the mortgage loan had adversely affected the Wilson's credit score.

9. The Wilsons attempted to obtain information regarding the default from U.S. Bank and also attempted to confirm whether payments needed to be made in the future.

10. U.S. Bank refused to provide any information to the Wilsons regarding the mortgage loan on the Property.

11. The Wilsons then contacted the Krausers and discovered that there was a delinquency of around \$6,000.00, and that the Property was in foreclosure.

12. The Wilsons paid the \$6,000.00 to bring the mortgage loan current.

13. The Wilsons again attempted to obtain information regarding the default from U.S. Bank and also attempted to confirm whether payments needed to be made in the future.

14. U.S. Bank again refused to provide any information to the Wilsons regarding the mortgage loan on the Property.

15. On or about April 9, 2013, the Wilson's counsel received notification from U.S. Bank that the Krausers were again delinquent on their payments for the mortgage loan on the Property.

16. U.S. Bank continues to refuse to cooperate with the Wilson in order to make the monthly mortgage payments current and to remediate the erroneous reporting of the delinquency to the Wilsons credit report.

17. U.S. Bank has failed to comply with the terms of the mortgage loan by failing to notify the Wilsons of a delinquency on the monthly mortgage loan payments.

18. U.S. Bank violated the Illinois Consumer Fraud Act ("ICFA") by failing to notify the Wilsons of a delinquency on the monthly mortgage loan payments.

19. U.S. Bank had a duty to notify the Wilsons of a delinquency of the monthly mortgage payments and had a duty to cooperate with the Wilsons to redeem the monthly mortgage payments and provide the necessary information to do so.

20. The Wilsons have performed all of their obligations under the mortgage loan contract.

21. As a result of U.S. Bank's breach of their contract with the Wilsons, the Wilsons have suffered a decline in their credit score and are in jeopardy of losing their monetary investment as well as the Property itself through the foreclosure process. The Wilson have also suffered a closing of other separate credit accounts.

WHEREFORE, the Plaintiffs, ALAN A. WILSON and BARBARA M. WILSON, respectfully requests that this Honorable Court:

A. Find that U.S. Bank breached their mortgage loan contract;

- B. Find that US Bank failed to notify the Wilsons of the delinquency on the monthly mortgage payments;
- C. Find that US Bank violated the Illinois Consumer Fraud Act;
- D. Award the Wilsons damages in the amount of \$50,000.00;
- E. Award the Wilsons their attorney's fees incurred in having to bring this action;
- F. Enter an order requiring that US Bank remediate the Wilsons credit score and report; and
- G. Grant to Plaintiffs all such other and further relief as the Court deems appropriate and just.

Respectfully submitted,



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William P. Petsche, Attorney for Plaintiffs

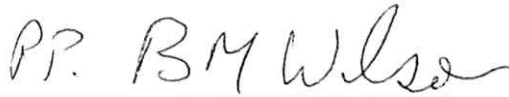
William P. Petsche  
RothMelei  
ARDC # 6306733  
454 W. Virginia Street  
Crystal Lake, IL 60014  
Phone: 815.356.8000  
Facsimile: 815.356.8025

**CERTIFICATION**

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that they verily believe the same to be true.

A handwritten signature in cursive script, appearing to read "Alan A. Wilson", written over a horizontal line.

Alan A. Wilson, Plaintiff

A handwritten signature in cursive script, appearing to read "Barbara M. Wilson", written over a horizontal line.

Barbara M. Wilson, Plaintiff